

## TRANSPORTATION DEPARTMENT[761]

### Adopted and Filed

Pursuant to the authority of Iowa Code sections 307.10 and 307.12, the Iowa Department of Transportation, on May 14, 2013, adopted amendments to Chapter 401, “Special Registration Plates,” and Chapter 425, “Motor Vehicle and Travel Trailer Dealers, Manufacturers, Distributors and Wholesalers,” Iowa Administrative Code.

Notice of Intended Action for these amendments was published in the April 3, 2013, Iowa Administrative Bulletin as **ARC 0658C**.

Items 1 and 2 allow qualified firefighters and members of an emergency medical services agency who are current plate holders of a firefighter plate or an emergency medical services plate the ability to apply for reissuance of the previously assigned plate number during a plate replacement or if the plate is lost, damaged or stolen. Item 3 makes a change to the definition of “principal place of business” to state that the business must be within the state of Iowa. Item 4 allows a Department representative, not just a Department investigator, to physically inspect an applicant’s principal place of business when the applicant is applying for a motor vehicle dealer’s license if the Department decides that an inspection is required.

These rules do not provide for waivers. Any person who believes that the person’s circumstances meet the statutory criteria for a waiver may petition the Department for a waiver under 761—Chapter 11.

These amendments are identical to those published under Notice of Intended Action.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code sections 321.34, 322.2(15) and 322C.2(8).

These amendments will become effective July 17, 2013.

Rule-making actions:

ITEM 1. Amend subrule 401.9(4) as follows:

**401.9(4) Plates.** Firefighter plates are limited to five characters. Personalized plates are not available. When a new series of firefighter plates is issued to replace a current series or the plate has been lost, stolen, or damaged, an applicant may obtain replacement plates containing the applicant’s previous plate number upon payment of the statutory fee.

ITEM 2. Amend subrule 401.10(3) as follows:

**401.10(3) EMS plates** are limited to five characters. Personalized plates are not available. When a new series of EMS plates is issued to replace a current series or the plate has been lost, stolen, or damaged, an applicant may obtain replacement plates containing the applicant’s previous plate number upon payment of the statutory fee.

ITEM 3. Amend rule **761—425.3(322)**, definition of “Principal place of business,” as follows:

*“Principal place of business”* means a building actually occupied where the public and the department may contact the owner or operator during regular business hours. In lieu of a building, a travel trailer dealer may use a manufactured or mobile home as an office if taxes are current or a travel trailer as an office if registration fees are current. The principal place of business must be located in this state.

ITEM 4. Amend subrule 425.12(1) as follows:

**425.12(1) *Verification of compliance.*** Before a motor vehicle dealer's license is issued, ~~an investigator from~~ a representative of the department ~~shall~~ may physically inspect an applicant's principal place of business to verify compliance with this rule.

[Filed 5/15/13, effective 7/17/13]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 6/12/13.